

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE:  
LITTCO METALS, LLC**

**CHAPTER 7  
CASE NO. 23-10069-SDM**

**JASON RICHARD LITTRELL AND WILLIAM L FAVA, PLAINTIFFS  
TRUSTEE FOR LITTCO METALS, LLC D/B/A  
LITTCO, LLC, LITTCO METALS EQUIPMENT  
LEASING, INC., AND LITTCO METALS MANAGEMENT CO.**

**VS. ADV. PROCEEDING NO: 24-01024-SDM**

**TYLER BURGESS; TONIA ETOH; INTERNATIONAL DEFENDANTS  
DEVELOPMENT SERVICES, INC.; INTERNATIONAL  
SERVICES, INC.; TAVAS, LLC; PENHURST CAPITAL,  
INC.; TIM WILLITS; NATHAN FREE; JEROLD  
WEISSBERG; ROBERT LEGON; BRUCE BUSH;  
DALE JOHNSTON; JAMES PETERS; BYZFUNDER NY,  
LLC; NEWCO CAPITAL GROUP IV, LLC; MEHANDI VAKIL;  
WISE VENTURE, LLC; STEVEN MARKOWITZ, JR.;  
SAMSON, MCA, LLC; CLOUDFUND, LLC D/B/A SAMSON  
GROUP; UNIQUE FUNDING SOLUTIONS, LLC; YAAKOV  
WINOGRAD; PROSPERUM CAPITAL PARTNERS, LLC  
D/B/A ARSENAL FUNDING; JOHN AND JANE DOES 1-10;  
AND ENTITY DOES 1-5**

**\*\*\*RELIEF IS SOUGHT FROM A  
UNITED STATES DISTRICT JUDGE\*\*\***

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**MOTION TO WITHDRAW REFERENCE**

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Defendants, Tyler Burgess, Tonia Etoh, International Development Services, Inc.,  
International Services, Inc., Tavas, LLC, Penhurst Capital, Inc., Nathan Free, Jerold Weissberg,  
Robert Legon, Bruce Bush, Dale Johnston and James Peters (collectively “IDS Defendants”), by  
and through counsel, submit this Motion to Withdraw Reference.

1. Seemingly in an attempt to avoid stringent RICO pleadings requirements set forth in rule 83.8 of the Local Uniform Civil Rules of the Northern and Southern Districts of Mississippi (“L.U.Civ.R.”), plaintiffs have filed a ten count adversary proceeding in Bankruptcy Court, consisting solely of non-core claims, that should be adjudicated by the District Court.

2. As set forth in detail in the memorandum contemporaneously filed with this motion, the IDS Defendants seek withdrawal of the reference of the adversary proceeding so that the District Court can fully adjudicate this proceeding. Because plaintiffs have asserted federal RICO claims which will present substantial and material issues regarding the interpretation of the federal RICO statute, withdrawal is mandatory.

3. Alternatively, the District Court should, in its discretion, withdraw the reference of the adversary proceeding for cause.

4. In support of this motion, the IDS Defendants attach the following exhibits:

**Exhibit 1:** Printout from Mississippi Secretary of State’s website for Littco, LLC

**Exhibit 2:** Printout from Mississippi Secretary of State’s website for Littco Metals Management Co.

**Exhibit 3:** Printout from Mississippi Secretary of State’s website for Littco Metals Equipment Leasing, Inc.

WHEREFORE, PREMISES CONSIDERED, the IDS Defendants ask the District Court to withdraw the reference of this adversary proceeding from the Bankruptcy Court.

Respectfully submitted this 10th day of January 2025.

Tyler Burgess, Tonia Etoh, International Development Services, Inc., International Services, Inc., Tavas LLC, Penhurst Capital, Inc., Tim Willits, Nathan Free, Jerold Weissberg, Robert Legon, Bruce Bush, Dale Johnston and James Peters

By: /s/ Stephanie M. Rippee  
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**CERTIFICATE OF SERVICE**

I, Stephanie M. Rippee, do hereby certify that I have caused to be served the above and foregoing pleading on all parties requesting notice by using the ECF filing system of the court.

This 10<sup>th</sup> day of January 2025.

/s/ Stephanie M. Rippee

Stephanie M. Rippee